

Remarks

The indication that claims 8, 9 and 12 contain allowable subject matter is gratefully noted.

Claims 1-7, 10, 11, 13 and 14 stand rejected under 35 U.S.C. §103 as being unpatentable over Swedish Patent No. 374578 (Hoegedahl). It is pointed out that this reference was brought to the attention of the Examiner prior to the first Office Action by the Information Disclosure Statement filed on February 27, 2002.

The Office Action states: "*374578 discloses a cap member (14, 16) having hidden (21) bent portion (40) that engages an engagement means (20) disposed on a side member (15). 374678 discloses the basic claimed cap cover except for the bent portion being integral therewith*" and "*it would have been obvious to one having ordinary skill in the art at the time the invention was made to construct a formerly integral structure in various elements, since it involves only routine skill in the art.*"

Claim 1 of the present application requires the cap member (20, 21) overlapping the glazing profiles (15) and the covering member (11) to be retained at its upper end by the upper covering cap (32) and to be "*integrally formed at its lower end with a bent, hidden engagement means (25, 26)...secured at the lower end of the side member.*"

The Examiner acknowledges that the element 21, 40 of Hoegedahl is not an integral part of the side member portion 16a. However, it is pointed out that 21, 40 is not even in contact with 16a and that an element 30 is interposed between the two. The prior art does not suggest making

① is in contact
set
Fig
3
attach
covered
portion

② clearly at the point of contact the two members 14 & 15 could be made integral with member 20 & element 25, 30 will be worked in place (5) for above force value

the two integral, and making them integral would encounter the problem of the intervening element 30. It is not clear what the Examiner means by "formerly integral," but such a description does not seem to apply here.

③ screw has nothing to do with the ability of the members 14, 16a, 16b being able to be made integral.

It is important to note that the separate lower covering sections 14, 15 of Hoegedahl are secured at their lower ends by screws 19 to the end face of the underlying side profile of the sash or wing part, whereas the upper covering sections 16a, 16b on side member 10, 11 form part of a unitary U-shaped covering 16 (Fig. 1). This also is in contrast to integrally formed engagement means (25, 26) of claim 1, which are for engagement with an engagement means secured at the lower end of the side member (7,8).

As discussed on pages 3 and 5 of Hoegedahl, Fig. 1 of the reference shows a sheet metal covering for a roof window comprising separate trough-shaped members 14, 15 secured to sides 10, 11 of the sash or wing part of the window, whereas the part of the covering extending on the upper parts of sides 10, 11 as well as the top side 1 is a U-shaped unitary member 16 composed of side sections 16a, 16b and a top section 16 c. Moreover, the sections 16a, 16b and 14, 15 of the U-shaped member 16 and the trough-shaped members, respectively, adjoining one another overlap each other at the hinges and are retained by hook members 20, 21 hidden below the covering, and illustrated in more detail in Figs. 6 to 8.

As shown in Figs. 6 to 8 and discussed in the text of Hoegedahl, the hook member 20 is a separate fitting secured to a wood profile 25 secured to the sash or wing part below the upper covering 16 to be engaged by a flange 39 at the upper end of the lower covering member 14 or

15, whereas the similar hook part 21 is secured to the main frame profile 22 and is formed with a flange 40 to be engaged by a bent lower part of the corresponding section 16a or 16b of the top covering.

Like the present invention, the stated object, as described in the second paragraph of page 1 of Hoegedahl, is to provide a covering that requires a minimum of fitting means and does not require holes to be formed in the top parts of the components.

The solutions to this problem provided by Hoegedahl and the present invention, respectively, are quite different however.

Claim 1 as amended calls for the cap member (20) to be dismountably retained at its upper end solely by the upper covering cap (32). In contrast, the arrangement of Hoegedahl uses a single unitary U-shaped top member 16 including the covering portions 16a, 16b for the upper half of each side member. The portions 16a, 16b are not dismountable from 16. Thus, Hoegedahl does not disclose a cap member dismountably retained at its upper end solely by an upper covering cap. Support for this amendment can be found, for example, on page 8, lines 8 to 18 of the description.

Hoegedahl also uses a separate lower cap members at each side, the lower ends of which are secured to the frame structure by screws 19 to the bottom end of each sash or wing side member and discloses hidden fitting means specifically for the connection of the lower end of each side section 16a, 16b of the U-shaped top member with the upper end of the underlying lower cap member 14, 15.

(4) Clearly is dismountable only retained by hooks 38, 40 only for access rel. is mem. to allow are member 20 + 21 cap 16 has no fitting means for the top of cap. says dismountable but does not require stay. as a method for fastening. (low 5-13) visible only member secured by engagement means of screw means.

The solution offered by the claimed invention provides side caps extending over each side member of the frame and sash or wing components only, with each of the side caps being releasably retained at its upper end by a separate upper covering cap and at its lower end by snap engagement of a bent hidden engagement means integral with the cap member and an engagement means secured at the lower end of the side member. It is noted in this respect that the invention may be implemented with a single cap member at each side only, in case of a non-openable window or an openable window having a pivot axis at the top, or by a set of upper and lower cap members at each side in case of an openable window having a central horizontal pivot axis.

Compared to the claimed invention, Hoegedahl fails to disclose retainment of the cap member at its upper end by a hood-like upper covering cap as well as provision of bent hidden engagement means integral with the lower end of the lower cap member and adapted for snap engagement with engaging means secured at the lower end of the sash or wind side member.

Claim 1 has been amended for clarity in conformity with the description and to further distinguish over Hoegedahl.

Accordingly, claim 1 is allowable over Hoegedahl. Claims 2-7, 10, 11, 13 and 14 depend from claim 1 and are allowable as depending from claim 1.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned **“Version With Markings to Show Changes Made.”**

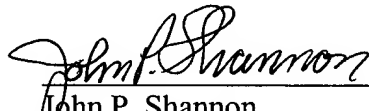
Applicants: Birgitte Hansen et al.
Appl. No. 09/647,700

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

A Notice of Allowance is respectfully requested.

Respectfully submitted,

Date: 12-19-02



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Version With Markings To Show Changes Made

In The Specification:

Page 8 replace the paragraph beginning on lines 13-18 with the following rewritten paragraph:

The upper cap member 20 is thus secured by a connection member 23 at its upper end solely by an upper covering member 32 for the frame and sash top members 1 and 5 against a support member [234] 24, which in the embodiment shown is secured to the top side of the frame side member 3, 4.

In the Claims:

Please amend claim 1 as follows:

1. (Amended) A roof window with a pane supporting sash structure composed of horizontal top and bottom members (1, 2; 5, 6) connected by parallel side members (2, 4; 7, 8), [which are] said side members comprising at least partially wood profiles and [that are covered on the outwards facing sides by] weather-shielding covering members (11, 12, 15, 17, 20, 21, 32) covering the outwards facing sides of said wood profiles for sealing enclosure of the [subjacent] wood profiles on all surfaces protruding from the roofing, engagement and securing means (23-29, 40) for connection of said covering members [being connected] with the wood profiles [by means of engagement and securing means (23-29, 40)] said engagement and securing means being designed or positioned to substantially prevent penetration of water and moisture into the

103
don't know
if wood

wood profiles, the covering members comprising a hood-like upper covering cap (32) for covering the top member (1, 5), an interior glazing profile (15) for covering a part of an upper edge (7,8) of each sash side member facing the light admitting area, an exterior covering member (11) for covering a part of an exterior side of each frame side member (3, 4) protruding from the roofing and an adjoining part of the upper edge of a frame side member, and a cap member (20, 21) overlapping the glazing profile (15) and said covering member (11), [the cap member being secured at a bottom to a lower part of the side member (7, 8) and at a top to said upper part of the side member (3, 4),] characterized in that the cap member (20) is dismountably retained at its upper end solely by said upper covering cap (32) and is integrally formed at its lower end with a bent, hidden engagement means (25, 26) for snapping engagement with an engagement means (24) secured at said lower end of the side member (7, 8).